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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,211	08/16/2001	Mathrubootham Janakiraman	MS#172026.01 (5211)	2348
38779	7590	11/19/2007	EXAMINER	
SENNIGER POWERS (MSFT)			NAWAZ, ASAD M	
ONE METROPOLITAN SQUARE, 16TH FLOOR			ART UNIT	
ST. LOUIS, MO 63102			PAPER NUMBER	
			2155	
			NOTIFICATION DATE	
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			11/19/2007	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

Office Action Summary

Application No.

09/931,211

Applicant(s)

JANAKIRAMAN ET AL.

Examiner

Asad M. Nawaz

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-16, 18 and 24-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-16, 18 and 24-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the RCE filed on 8/9/07. Claims 10, 12-16, and 18 were amended and claims 24-35 were newly added. No other claims have been amended, added, or canceled. Accordingly, claims 10-16, 18, and 24-35 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-16, 18, and 24-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandvoss et al (USPN 5745380) further in view of Hayes-Roth (USPN 6031549).

As to claim 10, Sandvoss teaches a system for conducting a multimedia conference comprising;

A plurality of participants each providing multimedia conferencing data including a video signal and an audio signal; a client in conference with the participants, the client capable of receiving the video signal corresponding to one of the participants at a time; (col 2, lines 40-65) a participant selection control parameter stored in a memory for tuning a video switching behavior wherein the participant selection control parameter

affects the outcome of a weight computation, said participant selection control parameter being specified when the multimedia conference is set up and indicating a static display constraint on a selection of a video signal; (abstract; col 2, lines 52-65; col 5, lines 56-67) periodically updating the activity state for each participant according to changes in the data information and the control information of the participant;s video signal and audio signal; computing weight for each of the participants based on the activity state variable of said each participant (col 3, lines 1-13) identifying a participant having a highest weight among the participants (col 3, lines 1-13) and selecting from the video streams in the multimedia conferencing data received from the participants, one video stream corresponding to the identified participant having the highest weight for viewing by the client (abstract; col 3, lines 10-13).

However, Sandvoss does not explicitly indicate providing a participant state table indicating an activity state variable for each participant.

Hayes-Roth teaches providing a participant state table indicating an activity state variable for each participant (Fig37, col 23, lines 50-65). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Hayes-Roth into those of Sandvoss to make the system better organized. The system will execute more efficiently if all the data were to be gathered into one data structure rather than multiple ones.

As to claims 11 and 12, Sandvoss teaches wherein the multiple participants are connected to the bridge server through a multicast network and performing the step of

Art Unit: 2155

transmitting to the client an audio stream containing a mixture of audio signals from the multiple participants of the network conference (col 2, lines 52 to col 3, line 13)

As to claims 13-16, 34-35 Sandvoss teaches wherein the step of computing the weight includes determining whether said each participant is currently being shown to a client and determining a length of time for which said each participant has been shown to the client if said each participant is currently being shown (col 5, lines 56-67) computing the weight includes determining whether said each participant is talking (col 5, lines 56-67), and computing the weight includes determining a length of time for which said each participant has not been shown to the client (col 6, lines 10-12).

As to claim 18, Sandvoss teaches wherein the multimedia streams include a combined video stream containing multiple substreams corresponding to one of the multiple participants and wherein the receiving comprises demuxing the combined video stream into a plurality of individual streams (Figs 3-5; col 2, line 40 to col 3, line 13)

Claims 24-33 contain similar limitations as the above-rejected claims and thus are rejected under similar rationale.

Response to Arguments

4. The rejections under 35 USC 101 and 35 USC 112 have been withdrawn.
5. Applicant's arguments filed have been fully considered but they are not persuasive. The applicant argues in substance that Sandvoss nor Hayes-Roth teach or disclose a participant selection control parameter that is static. In response, Sandvoss teaches a static variable that affects the outcome of a weight computation in some part.

Art Unit: 2155

For example, in the weighting function, there are static variables such as the number 1 that is added to other components of the formula. This is a static constant that was set during multi-media conference set-up (col 5, lines 35-46) Sandvoss in view of Hayes-Roth still meet the scope of the limitations as currently claimed.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M. Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMN


PHILIP TRAN
PRIMARY EXAMINER